

# Section 404 Permits

*(see also Water Quality and Clean Water Act Tab)*

Legislation: 1970 Clean Water Act

Regulations: 23 CFR 777

FHWA Policy and Guidance:

Memorandum to Regions, **Section 404 Nationwide Permits, Revised Regulations**, (January 2, 1997)

Federal Register, **Discussion of Nationwide Permits**, 33 CFR Part 330, Final Rule, Vol. 61, No. 241 (December 13, 1996)

Memorandum to Regions, **ACTION: Regional Agreements on NEPA and Section 404 Merger**, (November 6, 1995)

Memorandum of Understanding between Department of Transportation, Environmental Protection Agency, and U.S. Army Corps of Engineers, **Concerning Red Book Usage**, (May 1, 1992)

Memorandum to Regions, **Agricultural Exemption from the Section 404 Permit Process**, (May 21, 1990)

Memorandum to Regions, **Applying the Section 404 Permit Process to Federal-Aid Highway Projects**, (February 3, 1989)

Memorandum of Agreement between the Department of the Army and the Environmental Protection Agency **Concerning Federal Enforcement for the Section 404 Program of the Clean Water Act**, (January 19, 1989)

Memorandum of Agreement between the Department of the Army and the Environmental Protection Agency concerning the **Determination of the Geographic Jurisdiction of the Section 404 Program and the Application of the Exemptions under Section 404(f) of the Clean Water Act**, (January 19, 1989)

Memorandum to Regions, **Nationwide Section 404 Permit for FHWA Categorical Exclusions**, (December 24, 1987)

Memorandum to Regions, **Memorandum of Agreement (MOA) Between the Corps of Engineers and Federal Environmental Resource Agencies**, (June 10, 1986)

- a. **MOA with Department of Interior**, (November 8, 1985)
- b. **MOA with Environmental Protection Agency**, (November 12, 1985)
- c. **MOA with Department of Commerce**, (March 25, 1986)

Memorandum to Region 9, **Mitigation Required by the U.S. Fish and Wildlife Service through the Section 404 Permit Process**, (March 23, 1985)

Memorandum to Regions, **Corps of Engineers Section 404 Permits**, (December 12, 1984)

\*The Red Book, **Applying the Section 404 Permit Process to Federal-Aid Highway Projects**, (September 1988)

*\*Not included in Guidebook, but available from the FHWA Office of NEPA Facilitation.*